

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PENTACON BV and BALTISSE NV,

Plaintiffs,

-against-

GUY VANDERHAEGEN, GUY VANDERHAEGEN REVOCABLE TRUST, PELICAN INVEST, LLC, PELICAN INTERNATIONAL, LLC, and ORIGIS USA LLC,

Defendants.

Case No. 1:23-cv-02172-KPF

Removed from the Supreme Court of the State of New York, New York County, Index No. 650847/2023

**NOTICE OF MOTION OF DEFENDANTS GUY VANDERHAEGEN, GUY VANDERHAEGEN REVOCABLE TRUST, PELICAN INVEST, LLC, AND PELICAN INTERNATIONAL, LLC TO DISMISS AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the annexed memorandum of law, declaration of Thomas J. McCormack and exhibits thereto, and declaration of Prof. Dr. Roman Aydogdu and exhibits thereto, and all the prior pleadings and proceedings had herein, defendants Guy Vanderhaegen, Guy Vanderhaegen Revocable Trust, Pelican Invest, LLC, and Pelican International, LLC (together, “Defendants”) will move this Court before the Honorable Katherine Polk Failla, U.S. District Court Judge, at the United States Courthouse located at 40 Foley Square, Courtroom 618, New York, New York, at a date and time to be determined by the Court, for an order, pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure, dismissing the amended complaint (ECF No. 30) against Defendants and granting them such other and further relief as the Court deems just and proper.

Dated: July 28, 2023

Respectfully submitted,

NORTON ROSE FULBRIGHT US LLP

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